IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SIXTEENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

-

WRIT PETITION No.21515 of 2001

Between:

B.Siva Reddy S/o. Lingamurhty Reddy, Aged 52 years,
R/o. Kanala Village, Nandyal Mandal, Kurnool District.

..... PETITIONER

AND

1 Government of A.P. Rep by its Superintendent of Police
Kurnool, Kurnool District.
2 The Sub-Inspector of Police Special Branch, attached to

Superintendent of Police, Bungalow camp Office, Kurnool.
3 The Station House Officer, Nandyal Taluk Police Station, Nandyal,
Kurnool District.
4 Smt.Doosani Lingamma, W/o. Late Venkatasubbareddy,
R/o. Kaanala village, Nandyal Mandal, Kurnool District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate Writ order or direction mostly one which in the nature of Writ of Mandamus declaring the action of the respondent in entertaining the representation of the 4th respondent and interfering in a Civil dispute and pressurizing the petitioner to the partition his properties as illegal, irregular, arbitrary, unconstitutional unwarranted, unjustified, and unsustainable and direct the respondent to forbear from taking any steps against the petitioner including calling to the police station and causing harassment on the basis of the instructions issued by the 1st respondent on the representation of the 4th respondent.

Counsel for the Petitioner: MR.P.VEERA REDDY

Counsel for the Respondent Nos.1 to 3: GP FOR HOME

Counsel for the Respondent No.4: None appeared.

The Court made the following:

ORDER:

The petitioner is a resident of Kanala village, Nandyal Mandal, Kurnool District. He filed the present writ petition seeking a writ of Mandamus declaring the action of the respondents in entertaining the representation given by the fourth respondent and interfering in a civil dispute as illegal and unconstitutional.

It is the case of the petitioner that the fourth respondent, who is first cousin of the petitioner, gave a complaint/representation dated 01.8.2001 complaining that though the property in possession of the petitioner is a joint family property, he is not willing for partition of the same and give two shares to her. According to the petitioner, though the dispute is of civil nature, respondents 2 and 3 called the petitioner to the police station repeatedly and harassed him.

The Assistant Sub Inspector of Police, P.S. Nandyal filed a counter affidavit denying the allegations. It is further stated that after receipt of the complaint given to the first respondent, the petitioner was called to the police station only on 14.10.2001 to conduct enquiry and thereafter the police never called the petitioner. The allegation that the police are interfering in the civil disputes is denied. No reply affidavit is filed denying the contents of the counter affidavit. The writ petition is devoid of merits.

The writ petition is, accordingly, is dismissed.

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(**V.V.S.RAO,J**)

June 16, 2005.

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To

1 The Superintendent of Police, Government of A.P., Kurnool,

Kurnool District.

2 The Sub-Inspector of Police, Special Branch, attached to

Superintendent of Police, Bungalow camp Office, Kurnool.

3 The Station House Officer, Nandyal Taluk Police Station, Nandyal, Kurnool District.

4 Two CCs to the Government Pleader for Home, High Court Buildings,

Hyderabad. (OUT)

5 Two C.D. Copies.